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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,236	03/26/2004	Nagarajan Vedaraman	U 015106-3	9026
140 7590 01/06/2009 LADAS & PARRY LLP 26 WEST 61ST STREET NEW YORK, NY 10023				
EXAMINER				
KHAN, AMINA S				
ART UNIT		PAPER NUMBER		
1796				
MAIL DATE		DELIVERY MODE		
01/06/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/811,236

## Applicant(s)

VEDARAMAN ET AL.

## Examiner

AMINA KHAN

## Art Unit

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/17/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 17, 2008 has been entered.

2. Claims 1-15 are pending.

3. The 35 USC 103 rejections of claims 1-4,6-8,9-12,14 and 15 over Rodriguez et al. (US 3,254,938) and claims 5 and 13 over Rodriguez in view of Panepinto (US 2,937,068) are maintained for the reasons set forth in the previous office action.

### ***Priority***

4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in India on August 14, 2003. It is noted, however, that applicant has not filed a certified copy of the India 1000/DEL/2003 application as required by 35 U.S.C. 119(b).

***Response to Arguments***

5. Applicant's arguments filed October 17, 2008 have been fully considered but they are not persuasive. The 35 USC 103 rejections of claims 1-4,6-8,9-12,14 and 15 over Rodriguez et al. (US 3,254,938) and claims 5 and 13 over Rodriguez in view of Panepinto (US 2,937,068) are maintained.

6. The applicant argues that Panepinto differs in the treatment times of the skins. The examiner asserts that the time limitations and the inclusion of alkali compounds in treatments are taught in Rodriguez and Panepinto is simply relied upon to demonstrate the conventional use of calcium and magnesium hydroxide as alkali agents in the treatment of hides and skins during leather preparation. It would be obvious to one of ordinary skill in the art to substitute other salts such as calcium hydroxide for sodium hydroxide because they are well known in the art to be used for unhairing as taught by Panepinto as is the function of the sodium hydroxide as acknowledged by the applicant. Therefore, Panepinto is not relied upon for method steps, those are clearly taught by Rodriguez.

7. Applicant's arguments regarding Rodriguez have been fully considered but are not persuasive. Applicant argues that Rodriguez does not teach using not less than 0.04% w/v of a salt of an alkali metal or alkaline earth metal in step i) and alkali metal in step ii). The examiner respectfully disagrees. Specifically, Rodriguez et al. (example XIV, column 10) clearly discloses a pretreatment step of treating 100 kg of dry sheep/goat skins with 400 kg of a **3% salt solution** for 48 hours followed by treatment with 200% of an 8% NaCl solution and **1-2% sodium hydroxide** for 5-8 hours. While

**Rodriguez is silent as to the components of the 3% salt solution, Rodriguez teaches that the pretreatment bath may consist of sodium hydroxide and sodium chloride alone (column 6, lines 13-16) and that the sodium chloride should be at least 0.25% with no upper limit (column 4, lines 10-20) with a treatment time of 2 to 48 hours.** It would be obvious to one of ordinary skill in the art to use 11000 to 30000 ppm chlorides and at least 0.04% sodium hydroxide because Rodriguez teaches pre-treatment baths with both components, and the percentages would just require optimization, which only requires routine skill in the art. Furthermore, Rodriguez et al. clearly teach that the treatments may be conducted on a previously salted hide (column 3, line 63) and it would be obvious that the previously salted hide may be treated by the salting conditions of Rodriguez.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMINA KHAN whose telephone number is (571)272-5573. The examiner can normally be reached on Monday through Friday, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorna M Douyon/  
Primary Examiner, Art Unit 1796

/Amina Khan/  
Examiner, Art Unit 1796  
January 2, 2009